

Official Minutes for Webb County Commissioners Court Meeting

Monday, July 11, 2005 at 1:00 PM and
continuing Tuesday, July 12, 2005 at 1:00 PM
(Approved 08-08-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cynthia Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 8th of July 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by All

- Item No. 4 Approval of minutes – June 13, 2005

Cmr. Gutierrez motioned to accept the minutes as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Ms. Gaby Lopez, Chief Internal Officer for the Auditor's Department was present to address the court. She stated that the monthly Auditor's Report was submitted on Friday and would like to bring some figures to the court's attention. She stated that the Hotel Motel tax report was short but was pending the quarterly deposit. She stated that the Employee Health Benefit Fund showed a negative balance of \$1,565,750 but that the plan was to offset this negative balance was to close out the account using the Workers Compensation Reserve Fund balance and begin the new fiscal year in the black. She stated that the county revenues were presently at 80% and expenditures were at 60% with 66.7% of the year completed. She stated that a 1% difference between revenue and expenditures would result in approximately \$517 in savings. Cmr. Gutierrez questioned why so much money was being spent on court appointed attorneys. Mr. Raul Casso, Chief of Staff, stated that the attorney

appointments were done at the time of magistration by the Justice of the Peace. He stated that all adult misdemeanor cases should be transferred to the Public Defender's Office. He stated that this agreement was made by the Board of Judges for all adult misdemeanor cases. Cmr. Gutierrez stated that it was a significant amount of money and the amounts have ballooned from last year. Cmr. Sciaraffa stated that if the amount being spent on court appointed attorneys for misdemeanor cases continues, they will be over budget at the end of the year. Mr. Casso stated that one of the problems was the inability to collect fees assessed to those who receive assistance by the Public Defender's Office since there is a priority scale for how the monies received are divided. Mr. Leroy Medford, 1st Assistant Public Defender, stated that he understands the court's concerns but stated that 100% of adult misdemeanor cases and 75% of felony cases from the JP level are handled by his office. He stated that it was at the judge's discretion to appoint a private attorney at the time the case is presented.

Cmr. Gutierrez motioned to accept the monthly Auditor's Report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Cortez-Brunner stated that she was glad to see the article regarding the bridge overpass at Mines Road. She stated that this was a long overdue project and gave many thanks to those who have worked on this project.

Cmr. Gutierrez thanked the Road & Bridge department for the work done to be able to provide water to the colonias on Hwy 359 this past weekend. She stated that the water dispensing plant at Larga Vista was shut down due to a lack of water and water pressure. She stated that the crew worked on Friday, Saturday and Sunday to get the system back on line and they did a tremendous job.

Judge Bruni stated that his office was not advised of work done and wanted to know under whose directive work was done.

Mr. Tomas Rodriguez, County Engineer, stated that he spoke with Judge Bruni on Friday at approximately 10:30 AM and advised him of work to be done. He stated that he did not anticipate having to work on the weekend but some problems arose that needed to be addressed.

Judge Bruni sent his condolences to the family of Alfonso Casso who passed away the previous week. A moment of silence was observed.

Item No. 7 Public Comment

Mr. Charles Martin was present to address the court. He stated that a 500,000 water tank was erected by the City of Laredo at Unitech but to this day remains empty and unused. He stated that the problem is not water shortage but water storage. He stated that he was unaware of the cost of the water tank or the cost to move the tank elsewhere. He stated that he was not certain if the city is capable of answering or discussing these problems. He stated that millions of dollars were wasted on this

water tank and nothing was done to address the issue of water storage by United Water.

Judge Bruni stated that when he was a city councilman, over 67 million gallons were produced so there was no reason for a water shortage now. He stated that the water plants were in bad shape and something needed to be done.

Mr. Martin stated that they cannot forget where they are due to the city's directions.

Judge Bruni stated that Public Comment cards are only accepted prior to the start of the meeting. He stated that this was the last time an exception would be made.

Mr. Anthony Peterson was present to address the court. He stated that he was in favor of Item No. 23 and felt that minimal requirements and qualifications for positions should be taken prior to appointing a HR Director. He stated that the county wanted to run this department like a business but stated that they must remember that they were voted in by the citizens of Webb County.

Mr. Luis Diaz de Leon was present to address the court. He stated that he has appeared before the City Council before regarding the water problems in Laredo. He urged the county to go through with the condemnations in order to move forward. He congratulated Cmr. Gutierrez for her help in bringing water to the colonias.

Mr. Jesus Sanchez was present to address the court. He thanked the court for placing an item regarding the problems in the colonias. He stated that he has also gone before the City Council regarding water usage and stated that the water pump at Larga Vista was shut by order of the City Council. He requested that the water station at Larga Vista be reopened so that it can be used by the residents who live near there. He also requested that the court do everything in its power to obtain the ROWs and easements needed to bring water to the colonias.

Ms. Virginia R. Villa was present to address the court. She stated that she was representing a group called Aguas Claras in El Cenizo. She stated that they are now having a problem with water that is over chlorinated versus the previous problem of unclean water. She stated that the water tests came back showing chlorine levels of 1.29 which was over the limit of 0.67. She stated that this could lead to a high risk of kidney damage. She requested that the court do something to help them on this matter.

Cmr. Gutierrez motioned to move up Item No. 13. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13 Report by the Webb County Engineer regarding water quality in Rio Bravo and El Cenizo vis-à-vis the public notice that published in the Laredo times on Monday, July 4, and status and commencement date of the water treatment plant in those communities.

Mr. Tomas Rodriguez, County Engineer, stated that he posted the public notice because of a requirement by TCDQ. He stated that the report presented was regarding the water quality of the prior year (2004). He stated that he submitted a

letter to the court in January and March of this year advising them of lower acidic levels due to changes made in the water plant.

Item No. 7 Public Comment

Mr. Carlos Y. Benavides, III, was present to address the court. He stated that a political sign was placed by Judge Bruni on Hwy 83 that violated election laws which prohibit political signs until 90 days before the election. He stated that the intent was impropriety and requested the court's assistance in removing the sign. He stated that TXDOT guidelines require that the signs be of lightweight material and placed no more than 90 days before and no more than 10 days after the election.

Judge Bruni stated that he would not comment and would not allow this to become a political debate.

Comr. Garza motioned to move into Executive Session for Item No. 8. Comr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (2:07 PM to 2:41 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Item No. 8 Report from tax collection attorneys, Cavazos, Morales, Tijerina & Montemayor, regarding dismissal of tax collection suits against Camino Colombia, et al, with discussion and possible action to direct the tax attorney's to take legal measures as necessary to satisfy the tax indebtedness as against any responsible party(ies). Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney). [Requested by Cavazos, Morales, Tijerina & Montemayor]

Mrs. Ana Laura Cavazos-Ramirez, Delinquent Tax Attorney, was present to address the court. She stated that there will be a hearing on July 20th at which time the judge will determine whether to allow the reinstatement of the tax collection suit against Camino Colombia. She requested authorization to dismiss the State of Texas from the current lawsuit and proceed to amend the lawsuit to include the original land owners. She stated that they were not ready to recommend a dismissal against Camino Texas Partnership since they are currently conducting research on any possible responsibility that they may have.

Comr. Gutierrez motioned to accept Ms. Cavazos-Ramirez's recommendation to dismiss the State of Texas from the current lawsuit and proceed to amend the lawsuit to include the original land owners. Comr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Comr. Sciaraffa motioned to move up Item No. 43. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43 Report on current state of delinquent tax collections.

Ms. Ana Laura Cavazos-Ramirez, Delinquent Tax Attorney, was present to address the court. She presented a report comparing their current collections to those collected in the previous year as well as those collected by the prior tax attorney. She stated that the collections for the first several months of their contract were low since they had not received any files from the previous tax attorney. She stated that they collected $\frac{3}{4}$ more in 2003 than what was collected in 2002. She stated that the collections for this year are lower due to the economy but feels that they will reach their goal of \$700,000 by the end of the year.

Item No. 9 Consultation regarding the City of Laredo's proposals for fire, EMS, HAZ-MAT, Ambulance, Rescue and other services. The Commissioners Court may take deliberate and action as deemed appropriate on the proposals after executive session consultation. THE COMMISSIONERS COURT MAY MEET IN EXECUTIVE SESSION TO CONSULT WITH ITS ATTORNEY PURSUANT TO Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Nathan Bratton requested that this item be deferred to the end of the meeting to be discussed along with the other Executive Session agenda items.

Deputy Fire Chief Steve Landin was present to address the court. He stated that they are proposing two agreements to Webb County. He stated that the one that would make more sense financially for Webb County would be to keep the current rate of \$600,000 per year for five years with the understanding that Webb County would purchase two additional vehicles that would be handed over to the City of Laredo. He stated that the vehicles would be used to combat brush fires as well as have better access to remote locations in the county. He stated that the City would maintain, fuel and man the vehicles. He stated that due to the higher number of brush fires in the past weeks, the firefighters have resorted to paying for water at the Larga Vista water tank instead of going back to the city to refill their tanks. He requested that the county issue them a passkey to prevent this from happening. He stated that there was another option but felt that this was the most fiscally responsible. Fire Marshal Danny Pottin requested that the court issue a burn ban for the safety of the residents of Webb County and firefighters. Judge Bruni stated that his recommendation was to purchase the vehicles and hand them over to the city but that the item would be addressed after Executive Session.

Item No. 10 Status report on rights of way acquisition for the Colonias Water Extension Project, problems encountered in obtaining rights of way, the resulting adverse impact to the project timetable, with discussion and possible action to request a legal opinion from the Webb County Attorney's office defining the scope of Webb County's condemnation authority in this particular context, and to direct staff to provide a cost

assessment for the acquisition of remaining rights of way, and any other matters incident thereto.

Mr. Tomas Rodriguez, County Engineer, was present to address the court. He stated that there were several colonias that were pending ROWs but that Los Ranchitos 359 East and West Penitas Center Road were both at 100% and Old Milwaukee was currently being platted. He stated that Los Centenarios was pending 37 ROWs but that it did not affect the current project but was necessary for future projects. Judge Bruni stated that the court should not simply re-route the plans but feels that if there is no other option, condemnation of the property would be the way to go. He stated that it was outrageous that the residents of those communities have been waiting more than 20 years for water and sewer services and 30 persons are holding up the project by not giving the county their ROWs. Cmr. Gutierrez stated that she spoke with the City Council about this issue and that they are in agreement to authorize the re-routing of some properties only when they do not affect neighboring properties

Item No. 11 Discussion and possible action to adopt a Resolution of the Webb County Commissioners Court supporting the construction of an interchange at International Blvd. and Loop 20 and a Pass-Through Toll Project.

Judge Bruni stated for the record that this project was not a toll road and has full faith in this project being funded by Mr. Dillworth. Mr. Carlos Villarreal, Executive Administrator, stated that TXDOT documents indicate that TXDOT will pay back the construction costs to Mr. Dillworth and that the public will not be charged a toll to use the pass-through. He stated that Mr. Tomas Saunders was present to address any questions from the court. Mr. Saunders stated that this project was not a toll gate or toll road. He stated that the term "toll road" was being used by the State in order to make the improvements needed. He stated that the payment to Mr. Dillworth will be based on the number of vehicles that use the road. Cmr. Gutierrez stated that she was concerned about the need to use "toll road" as a description by the State. Judge Bruni stated that this is a worthy project and if not approved by the court, he would personally send a letter of support to TXDOT. Cmr. Garza stated that he agreed with the comments being made but is very hesitant about approving toll roads. He questioned what would happen to the road once Mr. Dillworth has been paid. Mr. Saunders stated that the road would then be a part of the TXDOT road system. Judge Bruni stated that this would alleviate many concerns in Pct. 3. Cmr. Gutierrez stated that she wanted to be sure that this project would benefit the community.

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12 Discussion and possible action for the appointment by each commissioner of a representative to the International Trade Advisory Committee.

Cmr. Sciaraffa appointed Mr. Pablo Garza
Cmr. Gutierrez appointed Mr. Adolfo Campero

Cmr. Cortez-Brunner appointed Mr. Nick Benavides
Cmr. Garza stated that he would name his appointment at a future time.

Cmr. Gutierrez motioned to accept the court's appointments. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to allocate space in the Webb County Law Library as a permanent location for the official records of the Webb County Bar Association, and any other matters incident thereto.

Judge Bruni motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

The court congratulated Ms. Rosie Cuellar Castillo, Law Librarian, for doing a great job.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action to appoint Jose Luis Ramos as Road & Bridge Superintendent.

Judge Bruni motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Cmr. Gutierrez appreciated having this item placed on the agenda and wanted the public to be aware that Mr. Ramos was the only applicant who submitted an RFQ as requested by the court. She stated that he has worked with Webb County for over 11 years and was formerly the Assistant Road & Bridge Superintendent. Judge Bruni stated that Mr. Ramos has done an excellent job. Cmr. Sciaraffa echoed Judge Bruni's comments and stated that Mr. Ramos deserves the position. Mr. Nathan Bratton, Assistant County Attorney, advised the court that the motion needed to be made as an order to appoint Mr. Ramos for a two year period and that he must take the Oath of Appointed Officer and furnish a bond within twenty days.

Judge Bruni amended his motion to include an order appointing Mr. Ramos for two years as Road & Bridge Superintendent and requiring that he take the oath of appointed officer and furnish a bond within twenty days. Cmr. Cortez-Brunner amended her second.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to name the Rio Bravo Boys and Girls club as the, "Webb County South Activity Center".

Judge Bruni motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to authorize the Webb County Sheriff to use the Webb County Restitution Center as a youth activity center for the Webb County Sheriff PAL Boxing Program and any matter incident thereto.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa stated that the Sheriff's Department will take over the use of the building tomorrow. He thanked the court for their continued support and stated that he would be requested a Recreation Specialist in the new budget. Major Anselmo Robledo, Director of Community Affairs at the Sheriff's Department, wanted to thank the court for their support of this program. He stated that this would give kids an opportunity to participate in a healthy activity. He stated that Sheriff Rick Flores has already given \$5,000 from his Forfeiture funds to purchase equipment.

- Item No. 18 Discussion and possible action to approve the following line item transfer:

From:	001-0201-5601	Administrative Travel	\$2,000.00
To:	001-0201-6205	Materials & Supplies	\$2,000.00

Judge Bruni motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action to appoint Adolfo Campero as County Commissioner Pct. 2 designee to the International Trade Advisory Committee.

Action was taken under Item No. 12.

- Item No. 20 Report on the meeting with City Manager Larry Dovalina and staff regarding the moving of the Water Dispenser from Larga Vista Center to the Self Help Center on Hwy 359.

Cmr. Gutierrez stated that she has met with City Manager Larry Dovalina regarding the pressure shortage and the suggestion was to move the water dispenser to Las Blancas. She stated that it is already operating and charging for water. She stated that the hours of operation would be 8:00 am to 8:00 pm.

- Item No. 21 Report on the meeting with City Manager Larry Dovalina and staff regarding location of the proposed County Morgue in the proximity of the Laredo Medical Center and the University of Texas Health Science Center.

Cmr. Gutierrez stated that City Manager Larry Dovalina is currently looking into property available in the vicinity of both the Laredo Medical Center and the University of Texas Health Science Center. She stated that the possibility of an exchange of property based on fair market value was discussed since the city needs property for the water park and the county needed property for the morgue. She stated that she hoped to identify the property within the next couple of weeks.

Cmr. Sciaraffa motioned to move up Item No. 30 and No. 31. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to approve the following line item transfers:

From:	001-2001-6005	Postage	\$ 166.00
	001-2001-6010	Books & Subscriptions	\$1,500.00
	001-2001-6025	Radio Tower Lease	\$3,000.00
	001-2060-6010	Books & Subscription	\$4,026.00
	001-2060-6007	Dues & Memberships	\$ 250.00
	001-2060-6022	Professional Services	\$1,500.00
To:	001-2001-6205	Materials & Supplies	\$1,666.00
	001-2001-6403	Repairs & Maintenance Vehicles	\$3,000.00
	001-2060-6401	Repairs & Maintenance Buildings	\$4,026.00
	001-2060-6205	Materials & Supplies	\$ 250.00
	001-2060-5605	Special Travel	\$1,500.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to request funds for the following line item in order to continue operation for this fiscal year:

001-2062-6208	Groceries	\$170,000.00
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Cmr. Gutierrez inquired as to the funding source for this transfer. Mr. Rick Flores, County Sheriff, stated that in the past three budget cycles, the Groceries line item has been funded at \$450,000 and higher prices have not been taken into effect. He stated that the previous administration came before the court in May of last year for a line item transfer for this specific line item so he stated that it was not a problem created in his administration but rather one that he inherited. He stated that inflation should have been taken into consideration when funding this item. He stated that the Commission of Jail Standards will be coming in on July 27th and wants to continue to be compliant in order to continue receiving federal inmates. He stated that he is in the process of submitting the application to raise the per diem fees but will not receive a response for a few weeks. Cmr. Gutierrez stated that though it was true that the previous budget cycles did not properly fund this line item, the previous administration was able to transfer monies from his payroll account due to excess monies from savings in payroll due to slots that remained unfilled for some time. She stated that it was known that the line item would run out before the end of the fiscal year but stated that the monies are available in some other account. She stated that she would like to give the Auditor an opportunity to try to locate

funds for this account and possibly come back at the next meeting with a funding source. Sheriff Flores stated that the proposed budget that he submitted to the court did not ask for anything extravagant but rather to try to catch up. He thanked his staff for being so understanding about not being able to take any vacations due to the lack of manpower. He stated that he is looking for possible federal funding for additional personnel. He stated that the amount being requested for Groceries should be enough to finish the year and stated that any monies left over would be given back to the county.

Cmr. Gutierrez motioned to approve this item contingent on the County Auditor finding a funding source and limited to the monies available. Cmr. Cortez-Brunner seconded the motion.

Cmr. Sciaraffa stated that his concern was that an item similar to this was approved at the last meeting and there have been no monies located for those line items as of yet. He stated that if the court keeps doing this, the monies are just going to keep going higher and higher. Cmr. Garza stated that the monies would not be requested unless they were needed and the court has a duty to be fiscally responsible with taxpayers' monies. He stated that the court needs to look at the financial situation but also needs to know that there are monies available before allocating or approving a line item transfer. Sheriff Flores asked the court to look at the proposed action for Item No. 29 and possibly table that item so that the monies can be made available for his department. Cmr. Gutierrez stated that the funding for Item No. 29 was bond monies and that they could not be used for operational expenses. She stated that her motion would be contingent on the monies found by the County Auditor. She stated that if only \$70,000 were found, only \$70,000 would be made available.

Cmr. Gutierrez amended her motion to approve this item contingent on the amount of funding located by the County Auditor. Cmr. Cortez-Brunner amended her second.

Motion carried 5-0 by unanimous consent.

Item No. 22 Request authorization to transfer \$1,000.00 from fund 695, Park Development, Series 2002 to fund 696, Capital Outlay, Series 2002, to purchase Tint Meters requested by Justice of the Peace Oscar O. Martinez

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 23 Discussion and possible action to adopt an amendment to the county's personnel policy requiring all vacant county positions under the administration of Commissioner's Court be advertised and have applications solicited through the Human Resource Office before anyone is considered for county employment. Additionally, all job posting must require and specify minimum qualifications for the

position which must be met to be considered for employment. And have it further require, that all positions be posted and advertised for a minimum of three (3) days to give adequate notice to the public. And to have policy adhered to without exceptions.

Cmr. Garza stated that his intent by placing this item was to give the residents of Webb County a fair opportunity to apply for and work in county government. He stated that this item would make sure that those hired have met the minimum requirements. He stated that the main concern for this item would be the cost but stated that the job posting could be placed on the county website, as well as at LCC, TAMU and a job bulletin board accessible to the public.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion failed 2-2 with Cmr. Sciaraffa and Cmr. Cortez-Brunner voting against and Judge Bruni abstaining.

- Item No. 24 Staff update on the process by the consultant hired to perform an analysis of operations at the Webb County Golf Course, and to inform Commissioner's Court as to projected timeline of said analysis.

Mr. Nathan Bratton, Assistant County Attorney, stated that the contract has not been finalized and the pricing has not been negotiated. He stated that the consultant felt that the contract was to re-master the golf course and will be submitting an amended contract and pricing. He stated that the item will be brought back at the next meeting. He stated that the consultant was Professional Golf Services out of Galveston, Texas.

- Item No. 25 Staff Report on the status of the Del Mar Blvd. paving project (East of Loop 20), with discussion and possible action.

Mr. Tomas Rodriguez, County Engineer, stated that the Road and Bridge department worked on 3.9 miles and is working on the 1st mile east. He stated that they will then go 1 mile north with caliche and flexible base. Mr. Jose Luis Ramos, Road and Bridge Superintendent, stated that they will need to widen the shoulders and should finish caliche and paving within three weeks.

Cmr. Garza motioned to have the road paved up to the detention facility. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

BREAK (4:05 PM to 4:20 PM)

- Item No. 26 Discussion and possible action to appoint a board member for the International Trade Advisory Committee.

Action was taken under Item No. 12.

Item No. 27 Discussion and possible action authorizing the transfer of funds of Bond Series 2003 Fund 661 - 7501 - 8621 Road & Bridge Improvements.

FROM:	Acct. No. 07	Eagle Pass Road	\$110,000
TO:	Acct. No. 05	Thiesel/Phelps Road	\$ 57,000
	Acct. No. 09	Botines & Well Lane	\$ 53,000

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Cortez-Brunner stated that the monies awarded will work better at the other roads.

Motion carried 5-0 by unanimous consent.

Item No. 28 Status report on the completion of the Life Downs Administration Building

Mr. Tomas Rodriguez, County Engineer, stated that the administration building was 95% completed and should be finished within two weeks.

Cmr. Cortez-Brunner motioned to move up Item No. 47. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 47 Discussion and Possible Action Authorizing Change Order No. 1 to CG Construction, Inc. increasing the Contract by \$4,340.93 for a total of \$230,934.03, and to be funded by Laredo International Fair & Exposition (LIFE).

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Tomas Rodriguez, County Engineer, stated that under Item No. 28, the canopy steel building will arrive within four weeks and will take approximately four weeks to install. He stated that the expected completion date is August 16th.

Item No. 29 Discussion and possible action to transfer \$150,000.00 from the Morgue fund to an appropriate account for payment for professional services rendered in the successful prosecution of law suits against the City of Laredo regarding Webb County Bridge No. 1.

Mr. Carlos Villarreal, Executive Administrator, stated that the monies were needed to pay the bills pending. He stated that the monies would be replaced with the next bond issuance. He stated that all the cases have come back in county's favor. He stated that there is an appeal by the city pending regarding the reimbursement of attorney and court fees to Webb County.

Cmr. Gutierrez motioned to approve item on the condition that the monies are replaced with the next bond issuance. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32 Discussion and possible action to approve the following line item transfer:

From:	001-2500-5009	Uniform Allowance	\$2,700.00
To:	001-2500-6202	Uniforms	\$2,700.00
From:	001-2500-6010	Books and Subscriptions	\$ 600.00
To:	001-2500-6001	Office Supplies	\$ 600.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Action for Items No. 33 thru No. 36 was taken together.

Item No. 33 Discussion and possible action to enter into an "Alarm System Purchase and Signal Monitoring Services Agreement" with Argus Security Systems for the Head Start Program Villa Alegre Center Modular Unit #1 for a period of thirty-six (36) months (July 11, 2005 through July 10, 2008) at quarterly payments of SEVENTY-TWO DOLLARS (\$72.00) to equal to a total of EIGHT HUNDRED AND SIXTY-FOUR DOLLARS (\$864.00) over the term of the agreement plus the one time purchase price of EIGHT HUNDRED AND TEN DOLLARS (\$810.00) for the monitoring system and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program, Account No. 903-4207-6014 (Equipment Rental)]

Item No. 34 Discussion and possible action to enter into an "Alarm System Purchase and Signal Monitoring Services Agreement" with Argus Security Systems for the Head Start Program Villa Alegre Center Modular Unit #2 for a period of thirty-six (36) months (July 11, 2005 through July 10, 2008) at quarterly payments of SEVENTY-TWO DOLLARS (\$72.00) to equal to a total of EIGHT HUNDRED AND SIXTY-FOUR DOLLARS (\$864.00) over the term of the agreement plus the one time purchase price of SEVEN HUNDRED AND TWENTY-FIVE DOLLARS (\$725.00) for the monitoring system and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program, (Requested by Head Start Program, Account No. 903-4207-6014 (Equipment Rental)]

Item No. 35 Discussion and possible action to enter into an "Alarm System Purchase and Signal Monitoring Services Agreement" with Argus

Security Systems for the Head Start Program Villa Alegre Center Modular Unit #3 for a period of thirty-six (36) months (July 11, 2005 through July 10, 2008) at quarterly payments of SEVENTY-TWO DOLLARS (\$72.00) to equal to a total of EIGHT HUNDRED AND SIXTY-FOUR DOLLARS (\$864.00) over the term of the agreement plus the one time purchase price of SEVEN HUNDRED AND TWENTY-FIVE DOLLARS (\$725.00) for the monitoring system and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program, [Requested by Head Start Program, Account No. 903-4207-6014 (Equipment Rental)]

- Item No. 36 Discussion and possible action to enter into an "Alarm System Purchase and Signal Monitoring Services Agreement" with Argus Security Systems for the Head Start Program Villa Alegre Center Modular Unit #4 for a period of thirty-six (36) months (July 11, 2005 through July 10, 2008) at quarterly payments of SEVENTY-TWO DOLLARS (\$72.00) to equal to a total of EIGHT HUNDRED AND SIXTY-FOUR DOLLARS (\$864.00) over the term of the agreement plus the one time purchase price of SEVEN HUNDRED AND TWENTY-FIVE DOLLARS (\$725.00) for the monitoring system and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program, [Requested by Head Start Program, Account No. 903-4207-6014 (Equipment Rental)]

Cmr. Sciaraffa motioned to approve Item No. 33, No.34, No.35 and No.36 as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to execute a lease between Webb County and Beatriz Cruz for the Property situated at 3520 Monterrey, in Laredo, Webb County, Texas for use as a Head Start Program Center for a term of one (1) year commencing on September 1, 2005 and ending on August 31, 2006, and at a monthly rental of EIGHT HUNDRED AND THIRTY THREE DOLLARS AND FORTY NINE CENTS (\$833.49), and authorizing the County Judge to execute any and all relevant documents. [Requested by Head Start Program, Account No. 903-4207-6012 (Rent)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to enter into a two (2) year "Memorandum of Understanding" with Gateway Community Health

Center, Inc. wherein Webb County becomes a member of a Diabetes Coalition, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Webb County Risk Management]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to enter into an Administrative Services Agreement with the Texas Association of Counties Health And Employee Benefits Pool ("TAC") wherein TAC administers, supervise, and manages health benefit coverages for Webb County, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Risk Management]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action to enter into a Stop-Loss Agreement with the Texas Association of Counties Health And Employee Benefits Pool ("TAC") wherein TAC provides stop-loss coverage for Webb County's Self-funded employee health and welfare benefit plan, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Risk Management]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to enter into a Service Agreement with Ana Maria Peña, registered dietician, for Children enrolled in the Webb County Head Start Program for a period of one year (October 1, 2005 through September 31, 2006), at reduced fees as set forth in the agreement, authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements), and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

- Item No. 42 Discussion and possible action for the court, through the Webb County Head Start Program to exercise its seventh (7) option on a property lease agreement with Max L. Watts, President of VIMOSA II, for the Webb County Head Start Center located at 102 Sierra Vista Boulevard in the City of Laredo for an additional year (2005-2006) ending on

August 31, 2006 at an annual rate of one dollar (\$1.00) and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program, Account No. 903-4207-6012 (Rent)]

Cmr. Gutierrez motioned to approve Item No. 41 and No. 42 as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to approve a Mutual Aid Agreement between and among Jim Hogg, Starr, Webb and Zapata Counties, Texas and the following incorporated cities: El Cenizo, La Grulla, Laredo, Rio Grande City, Rio Bravo and Roma, all municipalities located within or partially with the Counties. The Parties wish to make suitable arrangements for furnishing Mutual Aid in coping with Disasters and/or civil emergencies and are so authorized and make this Agreement pursuant to Chapter 791, Texas Government Code (Interlocal Cooperation Act); chapter 418, Texas Government Code (Texas Disaster Act of 1975); and Chapter 362, Local Government Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 45 Discussion and possible action to approve an Inter-Local Agreement with the City of Laredo for the Tanquecitos I Sanitary Sewer System construction Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Nathan Bratton, Assistant County Attorney, stated that they are working with the city to finalize the language.

Cmr. Gutierrez amended her motion to approve the agreement contingent on the county attorney's approval. Cmr. Sciaraffa amended his second.

Motion carried 5-0 by unanimous consent.

- Item No. 46 Discussion and Possible Action Authorizing the Purchasing Agent, Director of Facilities and the County Engineer to obtain the services of Center Point Energy to install 690 feet of 2 inch plastic gas line for the old Tex-Mex Building at a cost not to exceed \$9,500.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 48 Discussion and possible action to extend the length of employment for SLOT # 1084 (Bus Driver), 1087 (Bus Drivers), 2047 (Food Transporter), 2185 (Disability Assistant), and 2028 (Area Service Manager) from 22 Pay Periods to 24 Pay Periods for FY 2004 – 2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to approve the following line item transfer:

From:	6005	Postage	\$420.00
To:	6022	Professional Services	\$420.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Discussion and possible action to authorize the Purchasing Agent to purchase power surge protection equipment in the amount of \$22,126.00 from Power Tech S.A. for 37 Head Start Centers.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that they received bids from Bexar Electric, A & P Electric and Power Tech, S.A. He stated that Power Tech S.A. was the apparent lowest bidder.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible action to award or reject Bid No. 2005-66 "Cuchillas and Lomas Pastures", Webb County School Lands.
Recommended for approval and award:

Dr. Apolonio Santos
3808 McPherson
Laredo, Texas 78041
956-717-0905
Rent: \$8,000.00 p/yr. plus \$8,000.00 of Fence Improvements
Lease period: 6 yrs. with 4 yr. option

Judge Bruni motioned to reject Bid No. 2005-66. Cmr. Sciaraffa seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that Dr. Santos was the only responder to Bid 2005-66. Judge Bruni stated that Dr. Santos proposed \$4.00 per acre when the market was \$9-10 per acre.

Motion carried 5-0 by unanimous consent.

Item No. 52 Discussion and possible action to authorize the purchasing agent to solicit bids for Surfacing Tile for the Head Start Centers.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 53 Discussion and possible action to authorize the Purchasing Agent to issue a contract purchase order to repair the leaks areas above the Tax Office Webb County Justice Center Parking Garage using the Cooperative Purchasing Network in the amount of \$26,985.00 from Tremco.

Mr. Eloy Ramirez, Purchasing Agent, requested that this item be deferred.

Cmr. Gutierrez motioned to defer the item. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to bring back Item No. 48. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to extend the length of employment for SLOT # 1084 (Bus Driver), 1087(Bus Drivers), 2047 (Food Transporter), 2185 (Disability Assistant), and 2028 (Area Service Manager) from 22 Pay Periods to 24 Pay Periods for FY 2004 – 2005.

Cmr. Gutierrez sated that Slot No.2047 should be extended from 24 to 26 pay periods, not 22 to 24 as shown.

Cmr. Gutierrez motioned to approve extending Slot No. 2047 from 24 to 26 pay periods. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 54 Discussion and possible action to approve the following line item transfer:

From:	001-0105-9201	Claims Paid	\$10,000.00
To:	001-0105-6032	Property/Casualty Premium	\$10,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 55 Discussion and possible action to fill the following slots:

Slot 700	Maintenance Aide	\$8.71 per hour
Slot 677	Maintenance Aide	\$8.71 per hour
Slot 2143	Assistant Superintendent	\$42,318.12 annual salary
Slot 1378	Construction Supervisor	\$34,508.00 annual salary

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Jose Luis Ramos, Road and Bridge Superintendent, stated that Slot No. 2143 would go out for RFQs. Cmr. Gutierrez recommended persons already employed in the department for the open slots.

Motion carried 5-0 by unanimous consent.

Item No. 56 Discussion and possible action authorizing to amend fund 010 Road & Bridge by allowing the transfers listed below:

From:	010-7002-6011	Training and Education	\$ 4,800.00
	010-7002-6205	Materials and Supplies	\$36,000.00
To:	010-7002-6224	Minor App & Tools	\$ 4,800.00
	010-7002-6204	Fuel and Lube	\$36,000.00

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Garza motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:35 PM to 4:59 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Item No. 9 Consultation regarding the City of Laredo's proposals for fire, EMS, HAZ-MAT, Ambulance, Rescue and other services. The Commissioners Court may take deliberate and action as deemed appropriate on the proposals after executive session consultation. THE COMMISSIONERS COURT MAY MEET IN EXECUTIVE SESSION TO CONSULT WITH ITS ATTORNEY PURSUANT TO Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Nathan Bratton, Assistant County Attorney, recommended that the court appoint Ms. Rhonda Tiffin, Planning Director, Mr. Leo Flores, County Auditor, Mr. Raul Casso, Chief of Staff, Mr. Carlos Villarreal, Executive Administrator, and Mr. Homero Ramirez, County Attorney to negotiate the agreement.

Cmr. Gutierrez motioned to appoint Ms. Rhonda Tiffin, Mr. Leo Flores, Mr. Raul Casso, Mr. Carlos Villarreal and Mr. Homero Ramirez to negotiate the agreement. Cmr. Garza seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Cortez-Brunner voting against.

Item No. 57 Discussion and possible action regarding potential claim against Webb County by former M.I.S. Director Guillermo Garcia. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, requested authorization to discuss the claim with Mr. Garcia's attorney.

Cmr. Gutierrez motioned to authorize the County Attorney to discuss the claim with Mr. Garcia's attorney. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 58 Discussion and possible action regarding a Settlement Agreement between the United States of America and Webb County, Texas under the Americans with Disability Act, DJ 204-74-293 and any matters incident thereto. [Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, recommended acceptance of the proposed settlement agreement.

Cmr. Gutierrez motioned to accept the proposed settlement agreement. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 59 Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.